

**DECLARATION AND POWER OF ATTORNEY**  
(Original Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Heat-Inducible Promoter**

the specification of which is attached hereto and/or was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**FOREIGN PRIORITY APPLICATION(S)**

			Priority Claimed
19990279/99 (Number)	Switzerland (Country)	February 11, 1999 (Day/month/year filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PCT/EP00/01144 (Number)	Europe (Country)	February 11, 2000 (Day/month/year filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional patent application(s) listed below and have also identified below any United States provisional patent application(s) having a filing date before that of the application on which priority is claimed:

**PROVISIONAL PRIORITY PATENT APPLICATION(S)**

<hr/>		<b>Priority Claimed</b>
(Application No.)	(Filing Date)	<input type="checkbox"/> Yes <input type="checkbox"/> No
<hr/>		<b>Priority Claimed</b>
(Application No.)	(Filing Date)	<input type="checkbox"/> Yes <input type="checkbox"/> No

And I hereby appoint the registered attorneys and agents associated with  
**MORGAN, LEWIS & BOCKIUS, L.L.P., Customer No. 028977**, as my attorneys or agents  
with full power of substitution and revocation, to prosecute this application and to transact all  
business in the Patent and Trademark Office connected therewith.

Address all correspondence to **Customer No. 028977, namely, MORGAN,**  
**LEWIS & BOCKIUS, L.L.P.**, 1701 Market Street, Philadelphia, Pennsylvania 19103. Please  
direct all communications and telephone calls to Kathryn Doyle, Ph.D., J.D. at (215) 963-4723.

I hereby declare that all statements made herein of my own knowledge are true  
and that all statements made on information and belief are believed to be true; and further that  
these statements were made with the knowledge that willful false statements and the like so  
made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the  
United States Code and that such willful false statements may jeopardize the validity of the  
application or any patent issuing thereon.

Full name of first  
joint inventor: Ivano Romano

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence Wasenhaldestrasse 12

Citizenship Switzerland

Post Office Address 5080 Laufenburg, Switzerland

Full name of second  
joint inventor: Gerd Gellissen

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence Ringstrasse 30

Citizenship Germany

Post Office Address 42489 Wuelfrath, Germany

Full name of third  
joint inventor: Claudio DeVirgilio

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence Schafmattweg 85

Citizenship Switzerland

Post Office Address 4102 Binningen, Switzerland